

Remarks

This application contains claims 1-140, the status of which is as follows:

(a) Claims 35-54, 56-57, 60-64, 68-70, 81-101, 109, 111-113, and 117 have been currently amended.

(b) Claims 1-34, 55, 58-59, 65-67, 71-72, 110, 114, 118-119, and 121-140 have been canceled without prejudice.

(c) Claims 73, 79-80, 102, 108, and 116 were previously presented.

(d) Claims 44-51, 54, 61-62, 74-78, 82-83, 86, 96, 99, 103-107, 115, and 120 were previously withdrawn in response to a restriction requirement.

No new matter has been added.

Claim rejections under U.S.C. 103

Claims 35-43, 52-53, 56-60, 63-70, 73, 79-81, 84-85, 95, 97, 98, 100-102, 108-114, 116-119, 121-123, 125-127, and 133-140 were rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,755,750 to Petruska et al. in view of US Patent 5,215,086 to Terry or US Patent 5,540,730 to Terry. While not necessarily agreeing with these rejections, in order to expedite the issuance of a patent on subject matter believed to be allowable, Applicants have amended independent claims 35, 87, and 111 to include additional features not believed to be taught by the art of record, and have canceled claims 121-140. These amendments find support (a) on p. 19, last paragraph through p. 20, first paragraph of the specification as filed, (b) in the new paragraphs added to the specification by the present amendment, and (c) in the new figures added to the application by the present amendment. Several important features of the amendments

(including the plurality of electrode devices, coupled to the nervous tissue at respective longitudinal sites) were recited in dependent claims 65 and 66 as originally filed, which further demonstrates that the combination of these features with those of claim 35 has written description support in the application as filed. The present application as filed (p. 19) explicitly teaches that unidirectional signal propagation may be induced using methods and apparatus disclosed in US Patent Application 09/824,682, from which the new paragraphs and figures have been taken. Claim 35 has been additionally amended to include a feature recited in claim 67, which has consequently been canceled. Claim 111 has additionally been amended to include a feature recited in claim 114, which has consequently been canceled. Claim 68 has been amended to delete the word "about."

Amendments to the Specification and Drawings

The specification and drawings have been amended to include matter from US Patent Application 09/824,682, which is incorporated by reference in the present application as originally filed (p. 19). No changes have been made to this added matter, other than: (a) renumbering the figures and changing several of the reference numerals in order to avoid overlap with figure numbers and reference numerals already used in the present application, (b) replacing the typo "beams" with "being" in the first paragraph of the matter added to the specification beginning on p. 21, and (c) replacing "of of" with a single "of" in the first paragraph of the matter added to the specification beginning on p. 21. In addition, the added matter beginning with the phrase "A method is provided of reducing pain sensations" and continuing until the end of the added matter is a synopsis of the claims as originally filed in the '682 application, in which the only changes that have been made are to remove claim formalisms (e.g., remove "wherein" and substitute

Applicants: Ehud Cohen, et al.
Serial No.: 10/722,589
Filed: November 25, 2003
Page 50

"the" for "said") and add the word "may" to indicate that features originally recited in dependent claims are optional.

Related Patent

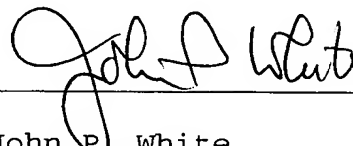
Applicants draw the Examiner's attention to US Patent US 6,600,954 to Cohen et al., which is assigned to the assignee of the present application. This patent, including its claims, may be relevant to examination of the present application.

Notice of allowance of the present application is respectfully requested.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the \$1,110.00 fee for a three (3) month extension of time, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

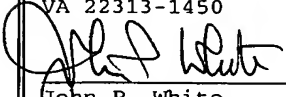
Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



John P. White
Reg. No. 28,678

11/14/08
Date